

1 UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF NEW YORK

3 VIACOM INTERNATIONAL, INC., COMEDY)
4 PARTNERS, COUNTRY MUSIC.)
5 TELEVISION, INC., PARAMOUNT)
6 PICTURES CORPORATION, and BLACK)
7 ENTERTAINMENT TELEVISION, LLC,)

8 Plaintiffs,)

9 vs.)

NO. 07-CV-2203

10 YOUTUBE, INC., YOUTUBE, LLC,)
11 and GOOGLE, INC.,)

12 Defendants.)

13 THE FOOTBALL ASSOCIATION PREMIER)
14 LEAGUE LIMITED, BOURNE CO., et al.,)
15 on behalf of themselves and all)
16 others similarly situated,)

17 Plaintiffs,)

18 vs.)

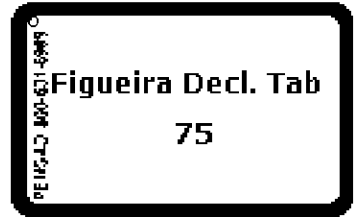
NO. 07-CV-3582

19 YOUTUBE, INC., YOUTUBE, LLC, and)
20 GOOGLE, INC.,)

21 Defendants.)

22 HIGHLY CONFIDENTIAL
23 VIDEOTAPED DEPOSITION OF DAVID KING
24 SAN FRANCISCO, CALIFORNIA
25 FRIDAY, DECEMBER 12, 2008

BY: ANDREA M. IGNACIO HOWARD, CSR, RPR, CCRR, CLR
CSR LICENSE NO. 9830
JOB NO. 16211



1 KING 75-0002

2 afternoon, Mr. King.

3 Under item 1B, these are apparently options.
 4 It says/state "Offer UMG the ad-inventory for the
 5 videos that we don't have publishing (we would have to
 6 run this by compliance) as a way to keep them live
 7 on" -- YouTube or -- "YT" -- excuse me, there's an
 8 abbreviation -- "(block embeds)."

9 Do you see that? Actually, there's no period
 10 there, but a full stop.

11 A Yes, I see that.

12 Q Okay. Do you have any idea what that
 13 statement means, we don't have publishing for certain
 14 videos as a way to keep them live on YouTube?

15 MR. MANCINI: Again, objection to the extent
 16 it calls for any legal communications.

17 You can testify to a business understanding.

18 Just to be clear, I'll permit the witness to
 19 testify to a fact, to a fact about -- but not to
 20 communications with lawyers.

21 THE WITNESS: So putting -- what this would
 22 be referring to is, at times, for specific sound
 23 recordings, YouTube has certain sound recordings where
 24 the -- the publishing has not been identified.

25 MR. HART: Q. Unidentified or not cleared?